

MAHER & PITTELL, LLP

ATTORNEYS AT LAW

Reply To:

**42-40 Bell Blvd, Suite 302
Bayside, New York 11361
Tel (516) 829-2299
jp@jpittell.com**

Long Island Office
**10 Bond St, Suite 389
Great Neck, New York 11021
Tel (516) 829-2299
jp@jpittell.com**

June 15, 2023

Hon. Vernon S. Broderick
U.S. District Court
40 Foley Square
New York, NY 10007

APPLICATION GRANTED

SO ORDERED 

VERNON S. BRODERICK

U.S.D.J. 6/20/2023

Re: *J.J.S. v. Plilar*, 19 Cv 2020 (VSB)(SN) {Habeas Petition}

Dear Judge Broderick:

We are counsel for July Justine Shelby, the Petitioner in the above referenced matter.

Please accept this letter as a follow up to our letter dated December 18, 2022 in regard to the above referenced Habeas Petition (the "Petition").

As noted in the December 18th letter, the Petition asserts two Claims. The first Claim is premised upon the refusal of the BOP to provide Ms. Shelby with gender affirming surgery (the "GAS Claim"). The second Claim was premised upon the refusal of the BOP to transfer Ms. Shelby to a women's prison (the "Transfer Claim"). The Transfer Claim was addressed in the R&R (ECF Doc. 74) and granted by an Order issued by this Court (ECF Doc. 86). However, the R&R and the Order do not address the GAS Claim. As such, this Claim remains open.

The December 18th letter informs that Ms. Shelby was, then, recently transferred to a women's prison. Among other reasons, in order to provide her time to adjust to being in a women's prison, we requested the Court stay the adjudication of the GAS Claim for six months. We proposed that, six months from the date of that letter (approximately June 19, 2023), the parties send a joint status letter to the Court indicating how they seek to proceed.

We have been conferring with Ms. Shelby and Government regarding the status letter. At this point, we seek additional time to continue these discussions and prepare the letter. Accordingly, with consent of the Government, we request that the date for the filing of the status letter be extended to July 3, 2023.

Respectfully submitted,

/s/

Jeffrey G. Pittell

cc: Dana Walsh Kumar, AUSA
Lucas Issacharoff, AUSA
July Justine Shelby